

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	4:22-CR-0229 JAR JMB
	)	
DAVANTE LINDSEY,	)	
	)	
Defendant.	)	

**MOTION FOR A PROTECTIVE ORDER**

COMES NOW the United States of America, by and through its attorney, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Jennifer Szczucinski, Assistant United States Attorney for said District, and moves this Court, pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure (Fed.R.Crim.P.), for an Order protecting certain disclosures to be made by the Government in the above-captioned matter.

In support thereof, the Government states and alleges as follows:

1. The United States is in possession of pretrial discovery in the form of reports, videos, cellular telephone records, search warrants, and other sensitive material, which the United States intends to use in evidence in its case-in-chief.

2. The United States intends to provide copies of these records to defense counsel. The unrestricted release of this material could subject the individuals identified therein to an unnecessary and unreasonable risk of harm.

3. Fed.R.Crim.P. 16(a)(1)(D) requires the United States to make the evidence available to the defendant's attorney for inspection and copying. Rule 16(d) Fed.R.Crim.P. provides that the Court may, for good cause shown, restrict the discovery or inspection of materials described under Rule 16.

4. Wherefore, the United States requests this Court enter an Order prohibiting the defendant or his attorneys from copying or releasing or disseminating the discovery in this case to any person; except (1) other counsel of record in the pending case; (2) any associate, paralegal, stenographic or clerical employee involved in the defense of this case; (3) such independent experts as may be selected by defense counsel to furnish technical or expert services or give testimony in this case; and (4) other persons upon further Order of this Court and upon a showing of particularized need. The United States additionally requests this Court enter an order that defense counsel may make such discovery *available for viewing only* by the defendant;

5. The United States does not object to defense counsel providing the defendant with summaries, outlines, and/or charts of the discovery in this case, with certain limitations. The United States requests the Court order that any such summaries, outlines, and/or charts provided to the defendant shall not contain any identifying information of any individuals mentioned in connection with this case, which includes, but is not limited to, full names, addresses, phone numbers, dates of birth, social security numbers, email addresses, and social media profile identifiers. The United States requests the Court order that any summaries, outlines, and/or charts provided to the defendant shall be affixed with a watermark across the entirety of each page, clearly indicating it is information provided to defendant by defense counsel. The United States additionally requests the Court order that the defendant be prohibited from copying, releasing, or disseminating any such summaries, outlines, and/or charts provided by defense counsel to the defendant.

6. The United States has consulted with the defendant's counsel of record, who has no objection to the United States' motion.

*See Attached Proposed Order.*

Respectfully submitted,

SAYLER A. FLEMING  
UNITED STATES ATTORNEY

/s/ Jennifer L. Szczucinski

JENNIFER SZCZUCINSKI, #56906MO

Assistant United States Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 2022, the foregoing was filed electronically with the Clerk of the Court and all counsel of record for the Defendant.

/s/ Jennifer L. Szczucinski

JENNIFER SZCZUCINSKI, #56906MO

Assistant United States Attorney